


ORIGINAL

Approved: 

MICHAEL D. LONGYEAR

Assistant United States Attorney

Before: THE HONORABLE DEBRA FREEMAN
United States Magistrate Judge
Southern District of New York

19MAG 7317

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UNITED STATES OF AMERICA :

COMPLAINT

- v. - :

Violations of
18 U.S.C. §§ 924(c) and
922(g)

UNIQUE CHAVIS,

Defendant. :

COUNTY OF OFFENSE:
BRONX

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SOUTHERN DISTRICT OF NEW YORK, ss.:

SEAN DESTEFANO, being duly sworn, deposes and says that he is a Detective with the New York City Police Department, and charges as follows:

COUNT ONE

(Use of a Firearm)

1. On or about August 5, 2019, in the Southern District of New York and elsewhere, UNIQUE CHAVIS, the defendant, during and in relation to a drug trafficking crime for which he may be prosecuted in a court of the United States, namely, the distribution and possession with intent to distribute narcotics, knowingly did use and carry a firearm, and, in furtherance of such crime, did possess a firearm.

(Title 18, United States Code, Sections 924(c)(1)(A)(i).)

COUNT TWO

(Felon in Possession)

2. On or about August 5, 2019, in the Southern District of New York and elsewhere, UNIQUE CHAVIS, the defendant, knowing he had previously been convicted of a crime punishable by imprisonment for a term exceeding one year,

knowingly did possess in and affecting commerce a firearm, to wit, a Colt .38 caliber revolver, which had previously been shipped and transported in interstate and foreign commerce.

The bases for my knowledge and for the foregoing charges, are, in part, as follows:

3. I am a Detective with the New York City Police Department ("NYPD"). I have been personally involved in the investigation of this matter. This Affidavit is based upon my personal participation in the investigation, my examination of reports and records, my review of surveillance video, and my conversations with other law enforcement personnel and other individuals. Because this Affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

4. Based on my conversations with other law enforcement officers, my review of law enforcement reports, my review of surveillance video, and my personal participation in this investigation, I learned the following in substance and in part:

a. On or about August 5, 2019, at approximately 5:30 p.m., two NYPD officers were patrolling in the vicinity of East 163rd Street and Prospect Avenue in the Bronx. The officers were driving an unmarked police vehicle. One officer was driving ("Officer-1") and the other officer was in the front passenger seat ("Officer-2," and together the "Officers").

b. The Officers approached a liquor store located at 830 East 163rd Street (the "Store") and observed approximately three to five individuals, including UNIQUE CHAVIS, the defendant, standing in front of the store. Officer-2 saw CHAVIS looking at the Officers. Officer-2 observed that CHAVIS was wearing a fanny pack strapped across his chest. Officer-2 observed that CHAVIS, upon seeing the Officers, moved the fanny pack to CHAVIS' left side and entered the Store.

c. The Officers exited the vehicle and entered the Store. Officer-2 asked CHAVIS, in sum and substance, what was in the fanny pack. CHAVIS responded, in sum and substance, that the fanny pack contained marijuana. As CHAVIS was talking

to Officer-2, CHAVIS kept the fanny pack on his left side away from Officer-2. CHAVIS then unzipped the front pocket of the fanny pack to show Officer-2 what was in the pack. As Officer-2 reached for the fanny pack, CHAVIS tossed the fanny pack at the Officers, and CHAVIS then fled the Store.

d. The Officers engaged in a foot pursuit of CHAVIS and eventually arrested him in front of 750 East 163rd Street, approximately two blocks from the Store.

e. After arresting CHAVIS, the Officers looked inside the fanny pack, which contained approximately eight small baggies of a green leafy substance and a loaded Colt .38 caliber revolver (the "Firearm"). Based on their training and experience, the Officers believe that the green leafy substance in the baggies is marijuana and that it was packaged for resale.

5. In the course of this investigation, I have reviewed surveillance video from inside the Store. The video depicts UNIQUE CHAVIS, the defendant, holding the fanny pack against his left hip while talking to Officer-2. CHAVIS then unzipped one of the pockets to the fanny pack to show Officer-2. Officer-2 reached for the fanny pack, at which point, CHAVIS tossed the fanny pack in the direction of the Officers.

6. I have spoken with an agent from the Bureau of Alcohol, Tobacco, Firearms, and Explosives, who confirmed that the Firearm was manufactured outside the State of New York.

7. I have reviewed criminal history records pertaining to UNIQUE CHAVIS, the defendant, which show that CHAVIS has sustained multiple felony convictions, including, most recently, a conviction on or about October 17, 2012 in Bronx County Supreme Court of Robbery in the Third Degree, in violation of New York Penal Law 240.26, a felony, which is punishable by imprisonment for more than one year. For one of his convictions, CHAVIS served more than one year in prison.

WHEREFORE, the deponent respectfully requests that
UNIQUE CHAVIS, the defendant, be imprisoned or bailed, as the
case may be.



SEAN DESTEFANO
DETECTIVE
NEW YORK CITY POLICE DEPARTMENT

Sworn to before me this
6th day of August, 2019



THE HONORABLE DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK